

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

THE NEW MEXICO STATE INVESTMENT COUNCIL,
as Trustee, Administrator and Custodian of the LAND
GRANT PERMANENT FUND and the SEVERANCE
TAX PERMANENT FUND,

Plaintiff,

Case No. D-101-CV-2011-01534

vs.

GARY BLAND, *et al.*,

Defendants.

AFFIDAVIT OF BARRETT WISSMAN

STATE OF California)
) ss.
COUNTY OF Los Angeles)

BARRETT WISSMAN, being first duly sworn, deposes and says:

1. I am over the age of 18 and believe in the obligation of an oath.
2. I submit this affidavit in support of the motion the New Mexico State Investment Council ("NMSIC") will file to dismiss this action against me.
3. I have personal knowledge of the matters contained herein and make this affidavit on the basis of such knowledge.
4. In 2005, I was a managing director of Hunt Family Ventures, LP ("HFV").
5. Clark Hunt ("Hunt") was also a managing director of HFV.
6. Through HFV, Hunt and I founded Arbitex Asset Management, L.P. ("Arbitex").

7. Hunt and I each owned, directly or indirectly, 50% of Arbitex.
8. In or about March 2005, Arbitex submitted a proposal in response to NMSIC's RFP for hedge fund-of-funds managers.
9. As explained in the Arbitex proposal, Arbitex had entered into an agreement with TAG Associates, LLC ("TAG") to create a sub-advisory relationship.
10. Saul Meyer ("Meyer") of Aldus Equity Advisors, NMSIC's private equity advisor, introduced Arbitex to Marc Correra. Meyer told me that Marc Correra, and his father, Anthony Correra, could be helpful to Arbitex in pursuing an allocation from NMSIC.
11. Hunt and I met with Marc and Anthony Correra in New Mexico to discuss Arbitex's interest in becoming a hedge fund-of-funds manager for NMSIC.
12. The Correras explained that, by virtue of Anthony Correra's close relationship with Governor Bill Richardson and their close relationship with the State Investment Officer, Gary Bland ("Bland"), they had influence with respect to the selection process.
13. The Correras told me and Hunt in substance that if they were hired, there would be a high likelihood of success in receiving an allocation from NMSIC. They said, in substance, that they can start it and can end it.
14. Hunt and I were willing to pay the Correras a fee if they were ultimately successful in obtaining an allocation from NMSIC. We agreed the Correras would receive 25% of any management fees Arbitex received as a hedge fund-of-funds manager for NMSIC. We understood that Marc Correra would receive the payment through Cabrera Capital Markets, LLC ("Cabrera").

15. The document attached hereto as Exhibit A is a true and correct copy of an e-mail chain from April 2005 that includes an exchange I had with Marc Correra about an upcoming meeting in Santa Fe to discuss Arbitex's proposal with Bland and others.

16. On or about May 17, 2005, Arbitex entered into a Referral Agreement with Cabrera in which Arbitex agreed to pay Cabrera 25% of all management fees it received as a hedge fund-of-funds manager for NMSIC. Arbitex began paying fees to Cabrera once it started receiving fees itself.

17. Thereafter, Bland awarded Arbitex a \$300,000,000 allocation as a hedge fund-of-funds manager for NMSIC.

18. Sometime after receiving an allocation, Arbitex changed its name to HFV Asset Management, LP ("HFV Asset Management").

19. On or about November 1, 2005, NMSIC entered into an Investment Advisory Agreement with HFV Asset Management.

20. Pursuant to the November 1, 2005, Investment Advisory Agreement, NMSIC invested \$100,000,000 in the HFV Multi-Strategy Fund and \$100,000,000 in the TAG Relative Value Offshore Fund Ltd.

21. On or about June 1, 2006, NMSIC entered into an Investment Advisor Agreement with HFV Asset Management and Vintage Classic, LLC ("Vintage Classic").

22. Vintage Classic was wholly-owned by NMSIC and operated as its own account hedge fund-of-funds.

23. Pursuant to the June 1, 2006, Investment Advisory Agreement, NMSIC invested \$100,000,000 in Vintage Classic.

24. Records of HFV Asset Management I reviewed indicate that HFV Asset Management received at least \$7,898,847 in management fees in connection with the services it rendered to NMSIC.

25. After Bland approved the mandate for Arbitex in 2005, Marc and Anthony Correra provided me information regarding hedge funds Marc Correra represented, and asked me to consider investments in those funds. The Correras told me that Governor Richardson would be pleased if we made investment allocations to those hedge funds.

26. The document attached hereto as Exhibit B is a genuine copy of an e-mail I received from Marc Correra on June 21, 2005, asking me to look at the Ascendant Structured Opportunity Fund from Vanderbilt Capital Advisors.

27. The document attached hereto as Exhibit C is a genuine copy of an e-mail I received from Marc Correra on August 3, 2006, shortly after Vintage Classic was formed, in which he asked me to look at five hedge funds he represented.

28. The document attached hereto as Exhibit D is a genuine copy of an e-mail I received from Marc Correra on June 13, 2007, about two hedge funds he represented. In the e-mail, Marc Correra said, "We just need to deal with these funds in a timely manner or they go back to the 'powers that be' and complain. And then my life becomes difficult...." I understood the "powers that be" to be Governor Richardson and Bland.

29. I discussed Marc Correra's requests with Hunt and Michael Tari, HFV Asset Management's chief operating officer. We decided that none of the hedge funds presented by Marc Correra were ones in which he had an interest. We did not like most of the funds Marc